

Juvenile and Domestic Relations Court

► Agency Mission

The mission of the Fairfax County Juvenile and Domestic Relations Court (JDRC) is to provide efficient and effective Court service programs for those youth and adults who come to the attention of, or are referred to the Court, in conformance with orders of the Court, the provisions of law as contained in the Code of Virginia of 1950 as amended, case law, and State Department of Juvenile Justice Minimum Standards, consistent with the well-being of the client, his/her family, and the protection of the community.

► Trends/Issues

Client Services

Truancy Program. On July 1, 1999 House Bill 1817 took effect in the Commonwealth of Virginia. This legislation both increased the school's responsibility to react to truancy cases in a much more timely fashion and the school's access to the Court for legal intervention when necessary. The Court's discretion in accepting truancy complaints from the attendance officers was removed in these cases by the Code change. Intake workers must respond to the complaint. If the child, once formally charged, is found to be within the purview of the Court and the Court orders services, the School Attendance Officer (SAO) is no longer involved in the supervision of the case. It is the legal responsibility of the Court Services Unit to assure that the Court's orders are implemented and the child is in compliance with those orders. This is handled through probation services.

Prior to the change in the Code, the number of truancy petitions in any given year was minimal. With the full implementation of the new Fairfax County Public Schools (FCPS) truancy procedures, those numbers began to rise. Between FY 1996 and FY 1999 truancy petitions increased from 20 to 53. In FY 2000 there were 180 cases petitioned to Court. Forecasts for FY 2001 indicated that the Court could expect 600 additional truancy petitions if the number of SAOs remains at fifteen. Increases of this magnitude have had a dramatic impact at every level of court processing.

In order to comply with the Code of Virginia (Chapter 14, Article 1, Compulsory School Attendance) and meet the demands for intake, evaluation and supervision services for truancy cases in a timely fashion, the Court requires 8.5 additional probation officers. This would enable the Court Services Unit (CSU) to add one intake officer, one probation officer to facilitate additional required interdisciplinary evaluations for truancy cases, and 6.5 probation officers to replicate the Maximize Attendance Program in the Court's remaining probation offices. Failure to increase the capacity of the CSU to provide adequate services to truancy cases increases the difficulty for the Court to comply with the Code of Virginia, Chapter 14 Article 1, Compulsory School Attendance.

Compliance with State Standards. In December 1999, the Court Services Unit was audited by the Department of Juvenile Justice Certification Compliance Team. The CSU failed the standard relating to probation officer to client ratio that requires a ratio of 1 probation officer per 30 youth on supervision. The required corrective action plan developed at the time of the audit stated that the Court would request increased juvenile probation staff to come back into compliance.

Juvenile and Domestic Relations District Court

The Court Services Unit requires 5 additional Probation Officer II positions in order to bring the CSU into compliance with the Department of Juvenile Justice standards for average probation caseload size. Four of these positions would be assigned to field probation offices. One position would be assigned to the Special Services Unit for the Community Services Program.

Probation recidivism is one of the Court Service Unit's outcome performance indicators. Our goal is to have 75 percent of the youth completing probation remain free from new charges for a year after they leave supervision. During FY 2000, 68 percent of youth remained free of new charges. Failure to fund additional probation officer positions places the Court and the community in the untenable position of continuing to reduce contacts with youths to a minimum from once every two weeks to once a month. This jeopardizes the monitoring of probationers' behavior in the community, makes it more difficult to achieve our outcome goal, and ultimately impacts on the public's safety.

Title IV-E of the Social Security Act. Title IV-E of the Social Security Act authorizes Federal financial reimbursement for expenditures related to 1) foster care maintenance, 2) adoption assistance, and 3) administration of the IV-E plan. A portion of the third component, administering the plan, includes activities designed to prevent out-of-home placements, such as foster care, or commitment to juvenile correctional centers, etc. Generally the federal government will reimburse 50 percent of an employee's salary for time spent preventing out-of-home placement with juveniles deemed to be at-risk of being removed from their home.

In order for JDRC to receive reimbursement, we must report how much of each staff's time was dedicated to performing allowable IV-E activities and which juveniles are reasonable candidates for out-of-home placement.

We have trained staff in the use of the timesheets, and in how to determine whether or not a juvenile is IV-E eligible. Employees have been submitting their individual time sheets since April 2001, along with a list of their "eligible" cases.

The Federal government has appointed the Virginia Department of Social Services (VDSS) as the sole agency for Virginia that can submit claims to the Federal government for Title IV-E activities. The Memorandum of Agreement (MOA), which JDRC will sign, with VDSS was submitted for approval to the County Attorney's Office in mid July, and was approved for signature on July 23. The primary requirement of the MOA is that the reimbursed funds must be reinvested in a social services program. These funds contractually cannot be used to supplant the local government's appropriations. The completed MOA has been approved by the Deputy County Executive and was forwarded to VDSS for signature. VDSS approved the MOA on August 14, 2001 and the preliminary audit is scheduled for late August or early Sept to review the billing process and to audit select cases.

JDRC anticipates returning to the Board with recommendations to use these funds to increase the number of Probation Officer positions for supervision of truants and sex offenders, and to provide administrative oversight for Title IV-E requirements for the court services unit.

Juvenile and Domestic Relations District Court

Overcrowding at the Less Secure Shelter. The Less Secure Shelter Home is a 12 bed co-ed residential facility for pre- and post-disposition juveniles under the court's jurisdiction. The facility currently shares a physical plant with the secure detention facility. The program continues to exceed its rated capacity of 12 juveniles. During the past four fiscal years the program has exceeded 100 percent utilization. There have been months when the program has averaged as many as 17 juveniles. This continued overcrowding can be attributed to several factors: the code changes relating to truancy, the Court's response to children in need of services, the lack of non-mandated funding from Comprehensive Services Act (CSA), and the more critical need of temporary shelter for juveniles with diagnosed mental illness. The number of juveniles housed in the Less Secure facility with mental health issues creates an alarming concern because the program is not staffed or designed to adequately handle juveniles with mental illness. These juveniles are usually awaiting special placements or further diagnostic screening.

During this current fiscal year the program continues to be overcrowded and we anticipate more severe overcrowding in the fall with the Court's more active enforcement of the truancy code. The agency has created a committee to address the overcrowding concerns at the Less Secure Shelter. One of the initial recommendations involves suspending the "Short-Term" Program" (4 beds designed to treat youth for up to four months) for the immediate future in order to make those beds available for shelter care. However, the "Short-Term" Program continues to be a needed program for the court's Probation Services Division.

Victims' Services. The Court established an executive planning team to review existing services and plan for ways to improve services to victims who are involved specifically with the Juvenile and Domestic Relations Court. As a result, the Court has established a Victim Services Coordinator position. This is the first viable attempt to focus on victims and to educate and raise awareness concerning the needs of the victims and to ensure that victim's needs are addressed. The responsibilities of this position include coordinating existing services with services that are available from other agencies and providing systematic notification of court events to the victims.

Infrastructure Development

Courthouse Expansion Planning. Court staff have completed the space planning requirements and are now working on design development for the Courthouse expansion that is scheduled for completion in FY 2005. This work is in close collaboration with the General District and Circuit Courts. This is the first time the three courts have worked together to plan for common technology and space needs. The three courts are researching the court technologies that will be incorporated in the plan for the expanded building.

Document Management and Imaging Project. Funding has been identified in Fund 104 (\$247,000) to begin development of an imaging system for the storage and retrieval of records. Currently, all records related to cases are kept in folders and stored in the courthouse until they are eligible for destruction. At the present time, there are no duplicate files in case files are damaged or destroyed by fire or other disaster. In addition, these files need to be retrieved frequently for viewing by the public and court staff. If these records are imaged, the record will be immediately and simultaneously available electronically to staff, judges, and the public for viewing.

Juvenile and Domestic Relations District Court

The quantifiable benefits of this project include reduced staff time spent in retrieving and re-filing of records; reduced time spent by probation staff from off-site locations coming to the courthouse to review records; reduced waiting time at the records counter and at the fines and costs counter; and less physical space required for storage of records in the existing courthouse and in the new, expanded courthouse. In addition, the following qualitative benefits will be provided. The security and integrity of the records will be increased. It will provide easier and more efficient public access to the Court's records. The Court will have the capability for accessing records simultaneously.

Personnel Issues

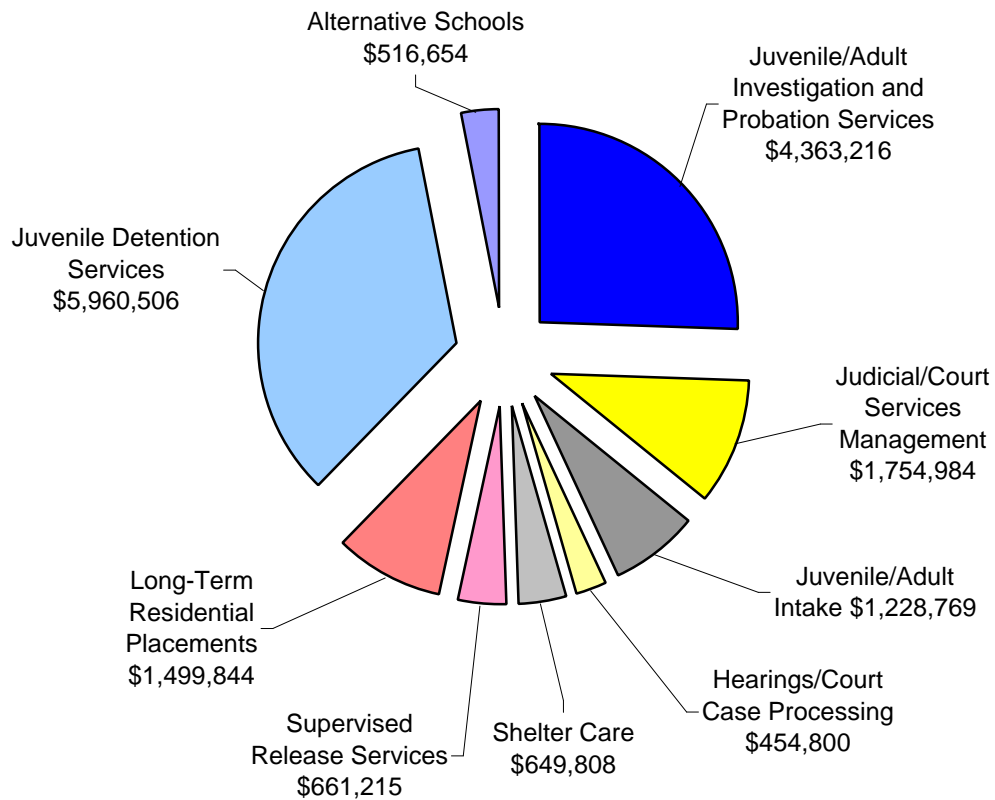
Fair Labor Standards Act Compliance. The Court has had an ongoing issue concerning Fair Labor Standards Act (FLSA) issues with staff at the Less Secure Shelter and Girls and Boys Probation Houses. During FY 2001, it was determined that employees in these facilities had been incorrectly classified as "law enforcement" personnel. The net effect of this was that overtime for these employees was incorrectly calculated (because we used the 14 day work-period with the 86 hour overtime threshold instead of the 7 day work-period with a 40 hour overtime threshold) and they were owed a retroactive pay adjustment. The FLSA provides that back pay for non-compliance is limited to three years, and therefore an amount of \$85,216 was accrued on payroll #12. This amount reflects the 3-year retroactive back pay adjustment that was accrued and paid to the affected employees. A similar decision regarding the staff at the Juvenile Detention Center is being litigated.

► Summary of All Agency CAPS

CAPS Number	CAPS Title	CAPS Net Cost	CAPS Number of Positions/SYE
81-01	Juvenile/Adult Investigation and Probation Services	\$3,428,752	84/83.5
81-02	Judicial/Court Services Management	\$1,418,403	13/13
81-03	Juvenile/Adult Intake	\$750,873	16/15
81-04	Hearings/Court Case Processing	\$282,741	10/9.5
81-05	Shelter Care	\$260,513	12/12
81-06	Supervised Release Services	\$283,827	13/11
81-07	Long-Term Residential Placements	\$692,678	28/27.5
81-08	Juvenile Detention Services	(\$637,211)	130/130
81-09	Alternative Schools	\$403,999	0/0
TOTAL Agency		\$6,884,575	306/301.5

Juvenile and Domestic Relations District Court

Juvenile and Domestic Relations District Court



Total FY 2002 Adopted Budget Expenditures = \$17,089,796

Total FY 2002 Adopted Budget Net Cost = \$6,884,575